



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 18th September 2014

Subject: 14/02604/ADV - APPLICATION FOR ADVERTISEMENT CONSENT TO DISPLAY ADVERTISING VIA THE EXISTING MEDIA SCREEN, THE CARRIAGEWORKS, 3 MILLENNIUM SQUARE, LEEDS, LS2 3AD

Electoral Wards Affected:

City and Hunslet

No

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Defer and delegate to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate).

Condition

Plans to be approved

The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

Management

Prior to first operation of the screen for any advertisement purpose, full details of the management and operation of the screen including the principles to be used shall be submitted to and approved in writing by the Local Planning Authority. Operation of the screen will then be undertaken in accordance with the approved details and principles.

In the interests of visual amenity

1.0 INTRODUCTION

- 1.1 The application relates to the introduction of commercial television broadcasts and advertising content to the existing digital media screen located to the Carriageworks building on Millennium Square. The proposal was first brought before members at the 17th July 2014 City Plans Panel. In view of the concerns the Panel had about the extent of the advertising content and the need for clarity on this point, Members proposed to defer consideration of the application.
- 1.2 In 2005, Leeds City Council entered into a contract for the lease of the Millennium Square screen as part of the BBC's Public Space Broadcasting Initiative (PSB). Following the expiry of the lease for the first screen, a replacement screen was erected following the grant of planning approval by the Plans Panel in 2012. The BBC was the content provider for the screen until September 2013. Following the expiry of the former content arrangement with the BBC the City Council are investigating ways in which the screen content can be managed going forward.
- 1.3 The application for Advertisement Consent is brought before members as Leeds City Council are proposing the introduction of this additional advertisement capability and, the introduction of additional advertisements would affect a large public space within the City Centre.

2.0 SITE AND SURROUNDINGS

- 2.1 The site is the Carriageworks building to the south side of Millennium Square opposite the Civic Hall which contains a theatre, meeting and conference facilities and a number of bars and restaurants. The uses surrounding the square comprise a mixture of hospital, residential, office, and leisure uses, including the Leeds City Museum, as well as the Brotherton Wing of the LGI. The square forms a focus for community and entertainment events. There are a number of listed buildings surrounding the square including the Grade II* Leeds Museum, Grade II* Civic Hall and The Carriageworks (Grade II). The application site is located within the City Centre Conservation Area.

3.0 PROPOSALS

- 3.1 The application comprises a request by Leeds City Council for Advertisement Consent to allow for the broadcast of commercial television events via the Millennium Square Screen whilst also continuing to utilise the screen for the promotion of local and cultural events and as a community information platform.
- 3.2 It is proposed the screen would periodically show free-to air commercial television broadcasts as well as sponsored events. The council would benefit from the potential income sponsored events would provide and this would help to cover the costs related to the provision of the screen.
- 3.3 Leeds City Council will continue to manage and programme the screen. All advertising material would be subject to strict guidelines and standards and would not feature political content or content relating to alcohol or tobacco promotion or gambling. Editorial control would rest with Leeds City Council and controls would be put forward though Executive Board to manage this.
- 3.4 In recognition of the challenging financial position facing the Council, the primary intention for the business model for the Screen is to source appropriate advertising to accompany and support content which is linked to events on the Square. The

result will be income to support those events and to cover costs related to the provision of the Screen including its sustainability.

4.0 RELEVANT PLANNING HISTORY

4.1 20/200/05/FU & 20/202/05/SI - 1 internally lit LED media screen to proposed theatre, The Carriageworks, 3 Millennium Square Leeds, LS2 3AD

The original screen application was approved by Members at panel on 23rd June 2005. The building was designed for the TV screen to fit into a shallow recess in the Millennium Sq facade with the intention that it would be seen as part of the building rather than mounted on it.

4.2 12/00511/FU - Replacement media screen, The Carriageworks, 3 Millennium Square Leeds, LS2 3AD

The media screen on The Carriageworks, facing Millennium Square was upgraded to a high definition screen of the dimensions 6.1m x 3.6m in 2012. The screen facing Millennium Square is used to show public events and public information and is not used for commercial advertising. This screen faces on to a large public space sufficient to accommodate the associated crowds.

5.0 PUBLIC/LOCAL RESPONSE:

5.1 The Leeds Civic Trust have objected to the grant of Advertisement Consent as they feel that large scale digital advertisements are in their view, generally intrusive in the street scene and in addition, the proposal will add to the impression that the city is 'for sale'. The Leeds Civic Trust feel the proposal will set a precedent for other applications elsewhere in the city which as a result, will be difficult to refuse. The Leeds Civic Trust suggest a policy decision needs to be made to identify a specific area for the siting of large scale digital signage in the City Centre where such signage can be directed and resisted elsewhere. It is also suggested that such a policy is set out within a Supplementary Planning Document and put to public consultation.

6.0 CONSULTATIONS RESPONSES:

6.1 Statutory

6.2 There are no statutory consultees associated with this application.

6.3 Non-statutory:

6.4 Highways

The proposals do not raise any specific road safety concerns as there are no direct views from the nearest road to the screen whilst service vehicles can park in the vicinity of the screen on authorisation from the council. Therefore highways have no objection to the proposal.

6.5 Sustainable Development Unit - Conservation Team

No objections.

7.0 POLICY

7.1 National Planning Policy Framework (NPPF)

7.2 Paragraph 67 of the NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

7.3 Leeds Unitary Development Plan Review

7.4 The application site lies within the designated City Centre Conservation Area. Relevant UDPR policies include:

7.5 BD8: All signs must be well designed and sensitively located within the street scene. They should be carefully related to the character, scale and architectural features of the building on which they are placed.

BD9: Projecting and illuminated signs will only be permitted in conservation areas and predominantly residential areas where they do not detract from visual amenity, the building, or the character of the street.

GP5: Proposals should resolve detailed planning considerations including design and safety.

7.6 Leeds City Council's supplementary planning document on advertising design guidance recognises digital screens as an emerging form of advertising in commercial shopping centres. This guidance requires special attention be given to protecting the character and setting of conservation areas and listed buildings.

The guide states the designation of an area as a conservation area does not automatically preclude outdoor advertising, but special attention should be paid to the necessity of preserving or enhancing the character or appearance of that area.

The guide also states that special care is essential to ensure that any advertisement displayed on, or close to, a listed building or schedule monument does not detract from the integrity of the building's design, historic character or structure, and does not detract from or compromise its setting.

The guide goes on to states that Special care is essential to ensure that any advertising display does not lead to a reduction in road safety.

7.7 CABE and English Heritage 'Large Digital Screens In Public Spaces' (2009):
This offers guidance to LPA's on the issues to consider when assessing the suitability of sites for both public event display screens and digital media/advertising screens.

The 3 overriding principles set out are that a screen should:

1. Be in an appropriate location
2. Be of excellent design quality in its own right and ensure that the building façade is suitable
3. Enhance the qualities of its immediate location and wider setting.

7.8 **Draft Core Strategy (DCS)**

7.9 The draft Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State. The Inspector examined the Strategy during October 2013. The weight to be attached is limited where representations have been made.

7.10 Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design. Development should protect and enhance locally important buildings, skylines and views.

7.11 Policy P11: The historic environment, consisting of archaeological remains, historic buildings, townscapes and landscapes, including locally significant undesignated assets and their settings, will be conserved and enhanced, particularly those elements which help to give Leeds its distinct identity:

8.0 **MAIN ISSUES**

Amenity
Public Safety

9.0 **APPRAISAL**

9.1 Amenity

9.2 The application under appraisal is related to the use of the existing digital screen to show commercial television broadcasts. This will include the broadcast of commercial breaks. It is also proposed to show promotional content from partners and organisations across the city and promotional information linked to events taking place in Millennium Square. These will comprise the promotion of cultural events, selected charities and campaigns. The content will be under the control of Leeds City Council. A report on the development of the screen and the principle issue of using advertising to cover costs and raise income will be submitted to the council for approval through Executive Board once the details and operator have been finalised following a tendering process (currently programmed for September 2014). A planning condition is recommended for the submission of full details in regard to the management and operation of the screen to be submitted to the Local Planning Authority following the appointment of an operator and prior to first use for commercial purposes.

- 9.3 The existing screen structure has the benefit of planning permission. There are no physical changes proposed to the existing screen as part of this proposal. Under existing planning controls the brightness of the screen can be adjusted to match the ambient light level in the square (from sources such as the buildings, bars and street lights). Therefore it is considered that the showing of commercial advertising would not have a physically different visual impact than the showing of public service content.
- 9.4 The screen and its associated content would be read within the context of listed buildings and there is also a requirement to preserve the character of the conservation area. Although it is considered that the proposal to show some commercial advertising would have no greater visual impact than the existing wholly public service content, the public perception of commercial advertising may be different. However, the commercial advertising will still be linked to public event broadcasting and will be ancillary to the main function of the public space broadcasting screen. The ancillary nature and extent of the commercial content will be controlled by the council and elected members. Also, the screen is well designed and located within a busy commercial environment with numerous examples of advertising for commercial businesses and public events in the vicinity of the site. The proposal is therefore considered to preserve the setting of listed buildings and the character of the conservation area.
- 9.5 The proposal for advertisement consent includes the use of audio on the same basis as the existing arrangement with the BBC. Sound levels can be set to match ambient background noise levels and as the speakers in general use are directional and closer to their audience the overall volume can be decreased. There are existing planning controls in this regard and the screen would continue to operate in consultation with Environmental Health as is the case currently. It is proposed to members that the existing controls regarding the operation of the screen are suitable in ensuring the restriction of noise to ensure no loss of amenity to nearby residents.
- 9.6 The BBC will continue to be the default television channel for broadcast on the screen and the quantity of commercial broadcasting shown on the screen will be limited. It is also proposed that after 9pm, the screen will not normally show commercial television broadcasts. There may be exceptions (major sporting events such as the Olympics, Tour De France, international football/rugby events) however these will be infrequent instances. A facility exists for the council to insert its own advertising content during commercial breaks, thereby interrupting advertisements shown on the network and this facility would be utilized for post 9pm watershed commercial broadcasts shown on the screen. With regard to pre-9pm broadcasts, members are advised that the average amount of commercial advertising shown equates (on average) to 12 minutes per hour of commercial broadcast content.
- 9.7 At the 17th July City Plans Panel meeting, members were advised that no more than 30% of the screen time would be given over to commercial advertising and sponsorship. The applicant has since clarified that although 30% screen time is the accepted level within the industry at which advertisers would be likely to buy into a public advertising space, it is recognized that with relatively low footfall in Millennium Square for long periods, the screen's viability as a commercial advertising platform is limited. Therefore, the use of the screen will be concentrated on providing sponsorship for specific events in addition to its current functions. The applicant has advised that, through the guidelines to be agreed by Executive Board in due course,

the showing of sponsor's content will not be detrimental to the screen's visual impact.

- 9.8 It is considered the screen will continue to add to the attraction of the square as a public event venue and enhance the cultural character of this area following this proposal. Experience has shown that the screen has helped to develop a public space as a meeting place, as an information and performance outlet for local arts and community groups and as an entertainment venue and seems to be enjoyed and valued by the public and people of Leeds.

10.0 Public Safety

Highways have responded with regard to the potential issue of highway safety and have no objection and consider that the screen can be serviced without impacts upon public safety. The existing screen is within a suitable setting, located within a large public square and it is therefore considered that there would be no impacts upon highway safety as a result of the proposal. Existing planning controls are in place to ensure the level of luminance is controlled to an acceptable and safe level to prevent distraction.

11.0 Representations

- 11.1 As detailed at paragraph 5.1 of the above report, a letter of objection has been received from the Leeds Civic Trust.

In response to the objection, the City Centre is a large commercial centre where advertising is present in a variety of forms, including a large scale digital screen at the Trinity development.

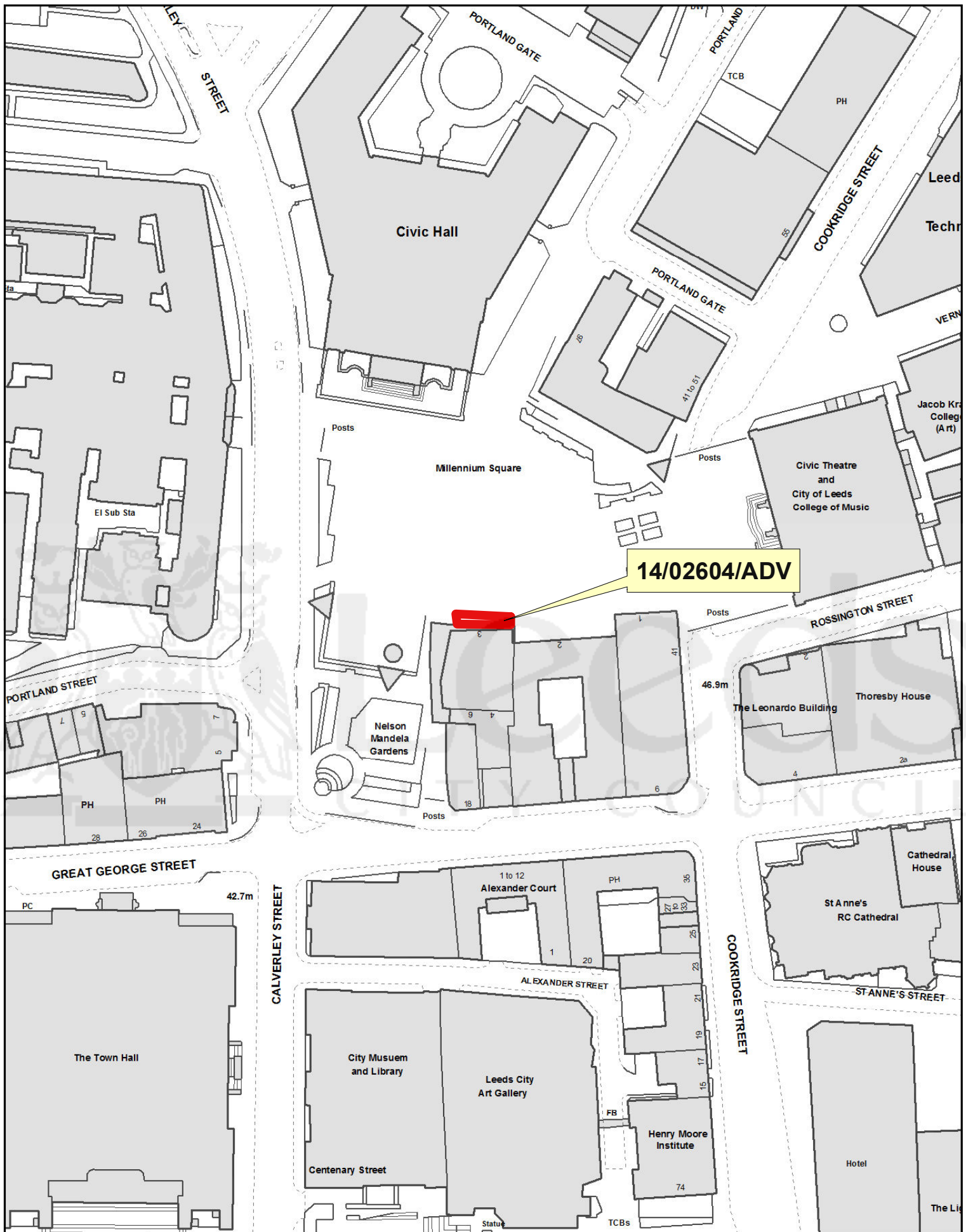
The Leeds City Council Advertisement Design Guide provides clear guidance on where advertising will generally be acceptable and where it is likely to be resisted. Guidance and UDPR policies require special attention to be given to protecting the character of the conservation area and listed buildings.

Each case must be considered on its own merits. The Local Planning Authority has supported proposals for screens at the Trinity retail centre and the Pinnacle building whilst resisting proposals in more inappropriate locations.

In this particular case it is considered that the proposal would be acceptable within the setting of the square and would have no greater impact upon the existing visual amenities and public safety in the context of the square than the existing BBC broadcasting.

Background Papers:

Application file 14/02604/ADV, letter of objection from Leeds Civic Trust dated 11th June 2014



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